

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF
AMERICA,

Plaintiff,

v.

Criminal Case No. 96-50001-2
Honorable Linda V. Parker

MARK ALLEN JOHNSON,

Defendant.

**OPINION AND ORDER GRANTING DEFENDANT'S MOTION FOR
EARLY TERMINATION OF SUPERVISED RELEASE**

In 1996, Defendant was convicted of conspiracy to distribute marijuana and possession with intent to distribute marijuana in violation of 21 U.S.C. §§ 846 and 841, respectively. He was sentenced initially to life imprisonment, followed by ten years of supervised release. Defendant's sentence was amended twice and he ultimately served a term of 192 months in prison. The ten-year term of supervised release remained unchanged and that term commenced on March 12, 2010 in the Middle District of Florida. On June 22, 2015, Defendant filed a motion seeking early termination of his supervised release pursuant to 18 U.S.C. § 3583(e). (ECF No. 296.) The government filed a response to the motion on September 14, 2015,

indicating that it has no objection to the early termination of Defendant from supervised release. (ECF No. 301.)

Pursuant to § 3583(e), a district court has the discretion to terminate a term of supervised release after the defendant's completion of one year of his or her supervised release term. 18 U.S.C. § 3583(e)(1). The statute instructs that early termination of supervised release should occur only when the defendant's conduct and the interests of justice warrant such action. *Id.* Here, Defendant has served more than five years of his ten-year term of supervised release. The government informs the Court that Defendant has adjusted well to supervision and has maintained a stable residence and employment. (ECF No. 301 at Pg ID 122.) Additionally, all special conditions of his supervision have been satisfied and he has remained drug and arrest free since his release. (*Id.* at Pg ID 122-23.)

According to the government, the Middle District of Florida Probation Office, which has been supervising Defendant's release, has no objection to the early release of Defendant's supervision. The Probation Department in the Eastern District of Michigan also informed the government that under the circumstances presented, early termination would be appropriate.

The requirements for early termination of Defendant's supervised release as set forth in § 3583(e) are satisfied as Defendant has served more than a year of his

supervised release term and the Court finds that the interests of justice are served by now releasing Defendant from supervised release.

Accordingly,

IT IS ORDERED, that Defendant's motion seeking early termination of his supervised release pursuant to 18 U.S.C. § 3583(e) is **GRANTED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: October 7, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, October 7, 2015, by electronic and/or U.S. First Class mail.

s/ Richard Loury
Case Manager